

REMARKS

Please reconsider the claims in the application in view of the remarks below.

Claim Rejections – 35 U.S.C. §103(a)

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,839,687 issued to Dent et al. (“Dent”) in view of U.S. Patent No. 6,032,133 issued to Hilt et al. (“Hilt”) and in further view of U.S. Patent Publication No. 2002/0023056 to Antognini et al. (“Antognini”). While not agreeing with the rejections, applicant is amending independent claims 1, 8 and 15 in this reply to more clearly recite what is being claimed. Support for the amendments can be found at least in paragraphs [0019], [0027], and [0028] of the published application.

In the Office Action, the Examiner while conceding that Dent and Hilt fail to disclose or suggest the obtaining of the billing information in a pull mode cites Antognini’s description of bill presenter as allegedly disclosing that element. Applicant respectfully disagrees. Antognini’s bill presenter as understood by applicant performs the functions of a biller. Antognini’s paragraph 0040 specifically teaches that a person preparing a bill to present to the person owing the bill is the bill presenter. The bill presenter of Antognini is the biller, not a user who needs to pay the bill. Antognini discloses that the biller accesses the information from the database that is traditionally accessed for each bill to present to a payer. Antognini, however, does not disclose, suggest or teach that a bill payer, for instance, a person whose finances are being managed in connection with various payments, directs the pulling of billing information.

The Examiner, in responding to the applicant’s previous argument that the cited references do not disclose or suggest a bill payer pulling the billing information, appears to be

citing Antognini's paragraph [0058] as allegedly reading on that claimed feature. The Examiner misinterprets that passage of Antognini. Paragraph [0058] of Antognini specifically refers to the selection related to the payment of bills and the conflicts that may occur because the payer's selected method may be different from the biller's method. Antognini particular provides an example in which the payer prefers to pay by credit card, but the biller would purposely omit credit card payment method. Antognini further suggests that such conflicts can be resolved based on the terms of the contract between the biller and the payer. It is glaringly evident that that passage of Antognini does not disclose or suggest, "obtaining the billing information in a pull mode," claimed in claims 1, 8 and 15.

The Office Action also cites Antognini's paragraph [0047] as allegedly disclosing that element. Again, the Examiner's interpretation is erroneous. That section of Antognini describes that, "the presenter may choose to include computer instructions which instruct the bill payer's computer to update personal finance software, telephone the bill presenter's computer server such as for purposes of directing bill payment or bill payment information directly to the bill presenter's computer server such as for purposes of directing bill payment or bill payment information directly to the bill presenter..." The "presenter" according to Antognini's in paragraph [0040] refers to the creditor or payee. Antognini in that paragraph does not disclose or suggest, that a payer has any control.

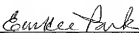
On the other hand, independent claims 1, 8 and 15 as amended recite, "directly obtaining the billing information in a pull mode." As explained in paragraph [0022] of the published application, the system and method of the present disclosure directly obtain billing information in a "pull mode," for example whenever necessary, while the conventional methods such as those shown in Antognini where a biller presents or sends the bill to the user in a "push mode."

For at least the above reason, claims 1, 8 and 15 and their respective dependent claims at least by virtue of dependency are unobvious over Dent, Hilt and Antognini.

While the above reasons suffice to overcome the section 103 rejections, independent claims 1, 8 and 15 are being amended further to clarify what is being claimed. The cited references, alone or in combination, also fail to disclose or suggest the amended features of the claims.

In view of the foregoing, this application is now believed to be in condition for allowance, and a Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference might expedite prosecution of this case, applicant respectfully requests that the Examiner call applicant's attorney at (516) 742-4343.

Respectfully submitted,


Eunhee Park
Registration No.: 42,976

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, N.Y. 11530
(516) 742-4343

EP:vh